I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop PCT/Missing Requirements
Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313 on the date shown below:

Patent Application Docket No. BB-170 Serial No. 10/582,697

David R. Saliwanchik, Patent Attorney

. :

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Veit Krenn et al.

Serial No.

10/582,697

Conf. No.

6576

Filed

June 13, 2006

For

Use of Ligands of Specific Antigens for the diagnosis and Treatment of Solid

Tumors and Bone-Related Cancerous Diseases

Mail Stop PCT/MISSING REQUIREMENTS Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## TRANSMITTAL LETTER

Sir:

The Applicants received a Notification of Missing Requirements Under 35 U.S.C. 371 from the United States Designated/Elected Office (DO/EO/US), dated December 4, 2006 in the above-referenced patent application. The Notification requests that the applicants submit an executed Declaration and Power of Attorney form.

Transmitted herewith is a fully executed Declaration (37 CFR 1.63) and Power of Attorney form for the subject patent application.

Docket No. BB-170 Serial No. 10/582,697

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Please charge the surcharge of \$130 for the late-filed Declaration (37 CFR 1.63) to Deposit Acct. No. 19-0065. The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. 19-0065. Two copies of this letter are enclosed.

Respectfully submitted,

David R. Saliwanchik

Patent Attorney

Registration No. 31,794

Phone No.:

352-375-8100

Address:

PO Box 142950

Gainesville, FL 32614-2950

DRS/la

Attachments: Executed Declaration (37 CFR 1.63) and Power of Attorney form; and

Copy of Notification of Missing Requirements

01/05/2007 ATRAN1 00000070 190065 10582697

01 FC:1617 130.00 DA



Date Mailed: 12/04/2006

### UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1430 Alexandria, Virginia 22313-1450 www.usptb.gov

FIRST NAMED APPLICANT ATTY. DOCKET NO. U.S. APPLICATION NUMBER NO. **BB170** Veit Krenn 10/582,697 INTERNATIONAL APPLICATION NO. PCT/EP04/11302 23557 I.A. FILING DATE PRIORITY DATE SALIWANCHIK LLOYD & SALIWANCHIK 10/08/2004 12/19/2003 A PROFESSIONAL ASSOCIATION PO BOX 142950 **CONFIRMATION NO. 6576** GAINESVILLE, FL 32614-2950 **371 FORMALITIES LETTER** DEC 18 2006 \*OC000000021450965\*

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/13/2006
- Copy of the International Search Report filed on 06/13/2006
- Preliminary Amendments filed on 06/13/2006
- Information Disclosure Statements filed on 11/27/2006
- Oath or Declaration filed on 06/13/2006
- Request for Immediate Examination filed on 06/13/2006
- U.S. Basic National Fees filed on 06/13/2006
- Priority Documents filed on 06/13/2006
- Specification filed on 06/13/2006
- Claims filed on 06/13/2006
- Abstracts filed on 06/13/2006
- Drawings filed on 06/13/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath
  or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

• \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. <a href="https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html">https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html</a>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <a href="http://www.uspto.gov/ebc.">http://www.uspto.gov/ebc.</a>

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

#### FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

## PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
	PCT/EP04/11302	BB170
10/582,697	101,210	

FORM PCT/DO/EO/905 (371 Formalities Notice)